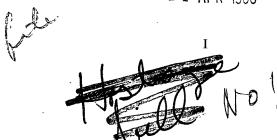
1 4 APR 1980



Union Calendar No. 429

96TH CONGRESS 2D SESSION H.R.6086

[Report No. 96-858]

To provide for the settlement and payment of claims of civilian and military personnel against the United States for losses in connection with the evacuation of such personnel from a foreign country.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 11, 1979

Mr. Danielson (for himself and Mr. Moorhead of California) introduced the following bill; which was referred to the Committee on the Judiciary

March 27, 1980

Additional sponsors: Mr. Harris, Mr. Brown of Ohio, Mr. Lowry, Mr. Lloyd, Mr. LaFalce, Mr. Hughes, Mr. Mazzoli, Mr. McClory, Mr. Kindness, Mr. Barnes, and Mr. Fish

March 27, 1980

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Omit the part struck through and insert the part printed in italic]

A BILL

To provide for the settlement and payment of claims of civilian and military personnel against the United States for losses in connection with the evacuation of such personnel from a foreign country.

Approved For Release 2007/05/21: CIA-RDP85-00003R000300060014-0

1	Be it enacted by the Senate and House of Representa-
2	tives of the United States of America in Congress assembled,
3	That the Military Personnel and Civilian Employees' Claims
4	Act of 1964 (78 Stat. 767, 31 U.S.C. 240 et seq.) is amend-
5	ed by adding at the end thereof the following new section:
6	"Sec. 9. (a) Subject to any policies that the President
7	may prescribe, the head of any agency, or his designee, may
8	settle and pay not more than \$40,000 for any claim against
9	the United States made by a member of the uniformed serv-
10	ices under the jurisdiction of that agency or by a civilian
11	officer or employee of that agency for damage to, or loss of,
12	personal property in a foreign country which damage or loss
13	(1) was incident to the service of such member, officer, or
14	employee, who was evacuated from that country on or after
15	December 31, 1978, in accordance with a recommendation
16	or order of the Secretary of State or other competent authori-
17	ty which was made in connection with incidents of political
18	unrest in that country or hostile acts by people in that coun-
19	try, and (2) resulted from that evacuation or from any such
20	incident or hostile act. personal property in a foreign coun-
21	try, incurred on or after December 31, 1978, which damage
22	or loss was incident to the service of that member, officer, or
23	employee, and
24	"(1)(A) that member, officer, or employee was
25	evacuated from that country on or after December 31

1	1978, in accordance with a recommendation or order of
2	the Secretary of State or other competent authority
3	which was made in response to incidents of political
4	unrest or hostile acts by people in that country, and
5	(B) that damage or loss resulted from that evacuation
6	or from any such incident or hostile act; or
7	"(2) that damage or loss resulted from acts of mob
8	violence, terrorist attacks, or other hostile acts, directed
9	against the United States Government or its officers or
10	employees.
11	"(b) The head of the agency, or his designee, authorized
12	under subsection (a) to settle and pay a claim of a person
13	described in such subsection may, if such person is deceased,
14	settle and pay any claim made by the decedent's surviving (1)
15	spouse, (2) children, (3) father or mother, or both, or (4)
16	brothers or sisters, or both, that arose before, concurrently
17	with, or after the decedent's death and is otherwise covered
18	by this section. Claims of survivors shall be settled and paid
19	in the order set forth in the preceding sentence.
20	"(c) A claim may be allowed under this section only if it
21	is presented in writing within two years after the claim ac-
22	crues, or within one year after the date of the enactment of
23	this section, whichever is later.
24	"(d) The head of each agency shall issue regulations to
25	carry out this section. The same standards applied in adjudi-

- 1 cating a claim under section 3 of this Act shall be applied in
- 2 adjudicating a claim under this section. Any claim to which
- 3 this section applies but which has been adjudicated under
- 4 section 3 of this Act by the applicable head of an agency
- 5 before the date of the enactment of this section shall not be
- 6 adjudicated under this section, but any amount of loss adjudi-
- 7 cated under such section 3 in connection with that claim
- 8 which has not been paid shall be payable to the extent per-
- 9 mitted in this section.
- 10 "(e) Upon payment of a claim under this section, the
- 11 United States shall, to the extent of the amount of such pay-
- 12 ment, be subrogated to any right or claim, with respect to the
- 13 same damage or loss for which the claim under this section
- 14 was paid, that the claimant may have against the foreign
- 15 country in which that damage or loss occurred.".

Amend the title so as to read: "A bill to provide for the settlement and payment of claims of United States civilian and military personnel against the United States for losses resulting from acts of violence directed against the United States Government or its representatives in a foreign country or from an authorized evacuation of personnel from a foreign country.".

Union Calendar No. 429

96TH CONGRESS H. R. 6086

[Report No. 96-858]

A BILL

To provide for the settlement and payment of claims of civilian and military personnel against the United States for losses in connection with the evacuation of such personnel from a foreign country.

DECEMBER 11, 1979

Referred to the Committee on the Judiciary

March 27, 1980

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed